

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicants basically:

1. Cancel claims 23-35 without prejudice or disclaimer.
2. Apprise the Examiner of the filing of a Terminal Disclaimer to overcome the rejection of claims 23, 28, 29, 36, 37, 42 and 44 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3 of parent U.S. Patent 6,561,297.
3. Request rejoinder of dependent claim 48.

B. PATENTABILITY OF THE CLAIMS – REJOINDER OF CLAIM 48

In view of factors including the filing of the Terminal Disclaimer, claims 36 – 47 are deemed allowable. It is respectfully submitted that claim 48, also dependent upon allowed independent claim 36, should be rejoined and allowed.

C. REQUEST FOR CLARIFICATION OF APPLIED REFERENCE

The office action has applied an un-specified US patent to Ashida, yet no patent number has been associated with the Ashida nor is there any Ashida reference yet of record for this application. The Examiner is respectfully requested to clarify the record regarding the cited prior art.

D. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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